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The Threat to the Republic

It can be said—but it would be unwise to dwell on it—that the Church and Pike committee reports represent the first time in history any country's legislature has ever investigated, exposed, and shamed its intelligence agencies and their "dirty tricks." Long before electronics, as far back as the Rome of the Caesars, a spy-haunted society feared, as Tacitus tells us, that somehow walls might have ears.[1] But a degenerate Senate, though constitutionally and nominally still all-powerful, lacked the will to do anything about it.

Unfortunately there is little prospect that our Senate, and our Congress, will behave any better. Between the time this is being written and the time it will be read, the Senate is expected to vote on a first timid effort at reform, an intelligence oversight committee. But its prospects are dim, and some of its provisions dubious.

The Republican White House and the Democratic Old Guard in the Senate are in a bipartisan alliance against any real reform. A similar coalition in the House—led by the Republican McCloty of Illinois and the Democrat Stratton of New York—is blocking bills to revive and clear the way for publication of the suppressed Pike report. The secret agencies are smugly confident that they have not only weathered the storm but entrenched themselves.

Their strength has deep roots. The great masters of property in our society are unwilling to give up "dirty tricks" in defense of their investments and privileges at home and abroad. For them, the end justifies the means just as surely as for their adversaries in Moscow and Peking. Radicals, opponents of the existing order, critics who go too far, are fair game, outside the law, on both sides. It is not an accident that—as the Church committee found—the FBI has twice as many informers in radical or liberal organizations as in organized crime.

The main job of a political secret police in any society is to keep in power those who have it. When the Roman Senate, after one particularly terrible scandal, tried to put some limit on informers, the Emperor Tiberius interposed his veto, saying, "Better to subvert the constitution than to remove its guardians."[2] Though no one today speaks so frankly, that is still the answer of those who cannot bring themselves altogether to prohibit "dirty tricks."

To understand the intelligence miasma, one must look at the family tree of the CIA. The CIA is only the institutionalization, though on a vast and unprecedented scale, of what we have done for more than a century and a half in Latin America and an earlier China under the rubric of defending "American lives and property."

Then we used State Department agents and the US Marines. The Marines were bill collectors for National City Bank and enforcers for the banana, oil, and sugar companies. What the CIA has done in Indochina, Iran, and Chile is no different in kind from the crass way Marines turned patriots into bandits and puppets into presidents in Central America and the Caribbean. It is only the means that have grown to keep pace with the expansion of the American empire and new forms of exploitation like the multinationals.[3]

You cannot run an empire without secrecy. And you have to be ready to deal with turbulent natives abroad and dissenting citizens at home. The FBI is well equipped to aid the CIA in that task. Its family tree, its dominant prejudice against liberals and the left, its coziness with the right, go back to the instinctive hostility of propertied interests to whatever elements in our society seemed to threaten property.

This is how they saw abolitionists, trade union organizers, socialists, anarchists, radicals of any kind, and indeed all "do-gooders," a favorite term of contempt with J. Edgar Hoover. The bomb squads, Red squads, anarchist squads that appeared in [illegible] during the nineteenth century are the FBI's progenitors as they are [illegible]'s collaborators. Any one history can be read as a continuous struggle between democracy and property, and in that perspective there is no doubt where the secret police stand.

Their true role as the janissaries of property is only implicit, of course, in these carefully manicured Church reports. Nor do the reports make more than a partial breach in the secrecy which shrouds the agencies. We must assume, after all we have learned, that the committee staff itself was penetrated by the agencies. The reports themselves—as internal evidence will reveal to a careful reading—were the product of a continuous wrangle among the staff, the committee, and the agencies. The agencies controlled what went out of their files and what went into the reports. The effort to censor as much as possible and the effort to tell as much as possible have left their marks. The final product must be read with extreme care. Every formulation, almost every word, must be evaluated not only for what it does say but for what it does not say. The latter is sometimes the more revealing.

The committee had *power* of subpoena, *on paper*, but there are indications throughout the report that the agencies withheld much in many areas which the committee wanted to explore. "The Central Intelligence Agency," the committee says in the introduction to Volume I (p. 7), "and other agencies of the executive branch have limited the Committee's access to the full record.... In some highly important areas ... the Committee has been refused access to files or documents."

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[1] "Never was Rome more distracted and terror-stricken. Meetings, conversations, the ear of friend and stranger were alike shunned; even those quiet and lifeless, the very roof and walls were eyed with suspicion." (*The Annals of Tacitus*, 4.69, Modern Library edition).

[2] Tacitus, *Annals* 4.30.

[3] General Smedley Butler, one of the best and bravest men the Marine Corps ever produced, got into trouble for telling the truth about the imperialist purposes he had served from Cuba to the Philippines. See Lowell Thomas's biography of him, *Old Gimlet Eye* (1933) and Butler's recently republished *War Is a Racket* (1935) in *Three Generals on War*, Garland Publishing,

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n assessing the feasibility of con-ssional oversight, one must not get this initial and successful defi-ce of the power given Congress by he Constitution to oversee and control very department of government. This muted note indicates that the Church committee knuckled under. The precé-dent bodes ill for congressional oversight. If this was the best the Church committee could do, after the multitudinous revelations of Watergate, what can one expect of a permanent committee when press and public opinion are once again somnolent?

This withholding of whatever the encies did not wish to disclose was ly the beginning of the struggle. At outset of its inquiry the committee its neck into a noose by agreeing a meeting with President Ford" it would not disclose any classi-information given it without con-ting the agencies and "carefully nsider[ing] the Executive's reasons maintaining secrecy." The commit-says that it retained final decision. it was inhibited because attempts go against agency wishes would risk White House blast and a refusal of cooperation. So "virtually all difficul-ties were resolved" and "the only significant exception" was the release of the Assassination Report last No-vember even though the executive branch thought this "would harm na-onal security." Since even Ford had go on record against assassination, least of other nations' leaders and at t in peacetime, the White House the agencies had to swallow de-on that one.

But down to and well past the iginal deadline for the report, it is ar that the committee had to suffer nstant revision and censorship. The mmittee notes that three chapters, "Cover," "Espionage," and "Budg-ry Oversight," were *omitted* alto-her on the insistence of the agen-s, along with two sections of the apter on "Covert Action of the IA" and one section of the chapter Department of State." Elsewhere particular passages" rewritten on the insistence of the intelligence agencies were denoted by "italics" and a foot-note explaining them.

An example is Chapter X on CIA nfluence in academic institutions, the edia, and religious organizations. ere are several italicized references "university officials and professors" o "provide leads and make introduc-tions for intelligence purposes." One suspects that originally the phrasing plainly said they helped the CIA recruit on campus. The report as published did not speculate on the fact that the relation between university officials and professors on the one hand and students on the other is hardly one of equality, and the door is thus opened to favoritism or discrimination, depending on the student's reaction to the indecent proposal.

The most dramatic evidence of last-minute struggle is the blank white and the notation "[deleted]" which cover all but a few lines on page 332 of Book I. This was the concluding portion of that section on the total size of the aggregate intelligence budget for fiscal year 1976, which begins at page 330 with the sentence, "The Committee's analysis indicated that [deleted] billion constituted the direct costs to the United States for its national intelligence program for FY 1976." A footnote said it was "deleted pending further Committee consideration," and the very morning the report was given to the press the committee voted to let the full Senate decide on whether to disclose the full figure.

The nonsense that publication of that figure would somehow reveal secrets to the enemy prevailed in committee and will probably prevail on the Senate floor, although former CIA director James Schlesinger testified

"that our enemies already know in the first place and it's broadly published." Elsewhere (p. 470) the report says that direct and indirect intelligence costs are roughly 3 percent of the total budget. The total is now over $400 billion. That would bring the total costs, direct and indirect, secret and budgeted, of all intelligence to about twelve billion dollars. But committee sources, in this deplorable and labyrinthine comedy, say that this figure is too high and that their own way of reporting was misleading. So now we must wait for the promised Senate vote on whether to disclose the real figure or leave it hidden. That vote will be a neuralgic point in American constitutional history.

The battle over the figure still to be fought on the Senate floor involves the most fundamental constitutional considerations. Congress has two weapons in dealing with the intelligence agencies. One is the power of disclosure. The other is the power of the purse. A vote to blank out the total will be a vote to surrender both powers to the agencies. The fight against absolutism, the fight for parliamentary supremacy, began with the power of the purse. In the eyes of the Framers nothing was more important in the Constitution than Article I, Section 9, Clause 7, which embodies that power. It says "no Money shall be drawn from the Treasury" except in pursuance of appropriations made by law and that "a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time." The CIA, unlike the FBI, has from its beginning completely evaded that clause. Will the Senate take the final step in constitutional emasculation by voting to keep secret even the aggregate total of the cost of all intelligence agencies?

The baneful influence does not end with the suppression of facts and figures. The reports read as if written not only with the agencies peering over the shoulders of the writers but actually participating in the phrasing. There are some passages which sound as if they were written or rewritten at Langley or in the FBI headquarters. There is throughout a tendency to opaque, *sotto voce*, bureaucratic phraseology of a kind at which the White House and the State Department have always been adept. The prose style—to single out one of the recent masters in this genre—is sometimes downright Nixonian. There are many instances of what could legitimately be called brain-washing—the bland, almost subliminal assertion as eternal verities of dubious propositions, propositions the investigators were supposed to challenge and test, not to accept without examination as major premises. A prime example is the statement at the very beginning of the CIA report that "a national intelligence system is a permanent and necessary part of our government. The system's value to the country has been proven."

Humanity will never get rid of the intelligence miasma until that overblown nonsense is challenged. The greatest intelligence networks of our time failed to prevent the most disastrous surprise attacks their regimes suffered. Pearl Harbor, the Nazi attack on the Soviet Union, the place and timing of the D-day invasion of Hitler's Fortress Europe were historic disasters. The American, the Soviet, and the

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[illegible] without precedent [illegible] under the Czars and the First Empire of Napoleon. Yet they suffered unprecedented loss through effective surprise in those three tremendous attacks. One put the Nazi armies almost at the gates of Moscow before effective defense could be organized. One crippled and crippled our naval and air forces in the Pacific from Hawaii to the Philippines; the third was the beginning of the end for Hitlerism. All three attacks had explicit and correct warnings, but in all three cases the warnings were drowned in the sheer volume of following reports and by the failure of the center to assess all this information correctly. "Intelligence" is not the same as intelligence.

Intelligence networks have rarely been proven effective in intimidating their own peoples. But no regime has yet been saved from disastrous error by "intelligence." The American Republic got along quite well internally without a Federal Bureau of Investigation until 1908 and without a "dirty tricks" agency abroad until 1947. Since then, as the Church report says, the US "has devoted enormous resources" to its intelligence network. But never has the United States been more poorly advised and suffered more shameful pratfalls than in that period.

The postwar successes of Western capitalism have been due to the vitality of enterprise, the superior advantages of an open society, and the moral bankruptcy of the Soviet regime. And that last was more than anything else the product of Russia's reliance on secrecy and the secret police. The dead-end course of Stalinism is the same course on which we are being impelled in the name of "national security."

If the US is hated by the best youth in Iran, in South Korea, in Chile, in the Dominican Republic, wherever the writ of our secret agencies and its puppet regimes has run, the Soviet Union is hated in Kiev, in Warsaw, in Prague, and in Bucharest for the very same reasons. The agencies on both sides have succeeded to the extent that brutality and repression can succeed, but the price will be paid in future explosions on both sides.

The secret agencies fail on the task of really intelligent assessment of human aspiration and social forces for several reasons. One is that they attract a large proportion of screwballs, crackpots, paranoids. A second is that the nature of the profession makes paranoia its occupational disease. The third is that ruling classes and bureaucracies generally prefer the paranoid explanation. If trouble, if protest against the Vietnam war, if radical agitation for social justice, if racial rising against discrimination are just the product of Satanic "subversives" plotting unrest, then there is no need to amend policies, to give up ruling class privileges. All one need do is purge and imprison the "conspirators." The spies blind their masters comfortably to realities. It wasn't for lack of spies that the Czars fell.

The CIA could foment the mob that killed Mossadeq in Iran. It could help to bring about the killing of Lumumba in the Congo and Allende in Chile, but there is no evidence that it can successfully Canute the tides of change in our time. Each side in the cold war struggle now beginning again has profited by the excesses and inhumanities of the other. Read Sakharov's great memoranda and ask yourself whether the stultification and rigidification that secrecy has imposed on Soviet science, industry, and society recommend a similar experiment on our side.

Intelligence agencies thrive by telling the boss he's doing fine. When reports signal the truth, they are more than often ignored. There were, we now know, intelligence reports which questioned the dominant delusions about the Vietnam war, which warned that the Bay of Pigs invasion would not trigger a popular uprising in Cuba, and which advised two years before Allende's election that the days of our copper monopoly in Chile were numbered no matter who won the coming election. But they were ignored and men who ventured such reports risked the query, "Who let that pinko in?"

You cannot—as even such great liberal papers as *The New York Times* and *The Washington Post* in their special editorials on the CIA [illegible] the circle. You cannot make lawlessness lawful. You cannot bring "dirty tricks" within a constitutional system. In this bicentennial year we are forgetting the basic lessons of the Revolution and the basic advantages and virtues of an open society. It cannot be open without risk, but the risks of free discussion over and over again have proven superior to the risks of repression. Some intelligence activity is inescapable for military and law enforcement purposes, but how much? The evidence suggests that we are drowning in intelligence, that we need not more but less "collection," not more spying but more analysis and thought. And thought requires debate. And you cannot have debate so long as ideas and expressions are watched and "collected." There is no room in an open society for a thought police, and that is what the FBI and the CIA, with occasional assists from the military, have become.

The picture which emerges from the Church reports, muted and mutilated as they are, must be made explicit. The CIA has become a huge conglomerate, with its secret tentacles in almost every section of American life, prostituting the universities, books, the press, and religious institutions; it runs a network of businesses at home and abroad, some wholly fictitious, some real enough to be insurance companies and aviation lines. The magnitude is veiled but at one point the report says that these ostensibly private businesses gross $1.6 billion a

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year and generate profits substantial enough to replenish a CIA "Contingency Fund" from which it can finance secret activities wholly outside the orbit of any supervision or audit, even from within the Executive.

The whole Angola business was financed in this way. The CIA has become a big business, a conglomerate, operating behind various "legitimate" fronts as a conspiracy against society, with its "hit men" and "enforcers" on the Mafia model. It can provide—and has provided—presidents with the means to operate outside the constitutional system, even to the point of waging secret war. Here lies the lesson of Watergate, already half forgotten.

It has been said over and over again that the bribery, the corruption of elections, the assassinations, and the other "dirty tricks" the CIA has been practicing abroad must inevitably spread to the domestic front. But few of us fully realized until the Church report on the FBI the extent to which J. Edgar Hoover had been practicing "dirty tricks" at home. The most shameful, of course, was the long harassment of Martin Luther King and the civil rights movement. It is depressing that despite all we now know Attorney General Levi has rejected recommendations from within the Justice Department for an independent citizens' investigation of King's assassination and insists on turning it back for another self-inquiry by the FBI. This is the only field of law enforcement in which it is left to the suspect to investigate himself.

And it is alarming that even the Church committee recommendations would still allow the FBI to engage in "preventive intelligence," the catchword which has allowed the worst abuses and invasions of privacy and basic rights in the past. We applaud Senator Philip A. Hart for pointing out in a separate opinion appended to the Church report on the FBI that the recommendations in this respect would for the first time give "statutory authorization" for the very abuses the committee has exposed.

The intelligence agencies have become a cancer that threatens the Republic. The authority of the FBI should be restricted to crimes. Terrorism is a crime, even though politically motivated, and can be handled like any other crime. This and all other kinds of crime would be better handled if the FBI did not waste so substantial a portion of its resources on the whole spectrum of what it calls "do-gooders," all of them treated prima facie as suspect. And it should be made a statutory offense for the FBI to practice "dirty tricks," to act as an agency for secretly defaming citizens it dislikes and disrupting their lives by just that kind of "disinformation" in which the CIA has specialized abroad and can also resort to at home.

I believe the Church CIA report does not tell the full truth about the CIA's origins. "Dirty tricks" were justifiable for the OSS, its predecessor, in wartime; the CIA took over the same practices in peace. Its conditioning, its personnel, and a substantial part of its activities still link it indissolubly to "dirty tricks." I believe the wise course would be to outlaw "dirty tricks" and abolish the CIA altogether and let its legitimate intelligence functions be taken over by other agencies. Otherwise Big Brother is here to stay. □